

ORDER

Before the Court is Plaintiff's Motion to Dismiss. The Court **GRANTS** the motion. Plaintiff's suit against Defendant is hereby **dismissed without prejudice**. *See* FED. R. CIV. P. 41(a)(1).

SO ORDERED.

May 18, 2005.

ED KINKEADE

UNITED STATES DISTRICT JUDGE

CLOSED

CASE # 3:050 003 - K

DATE 5/19/05

TRIAL YES____NO___